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Family Independence Agency

 In light of the fiscal challenges on the state level, federal funding is critical to the survival of many programs in the Family Independence Agency budget. Over the past several months, Congress has discussed the reauthorization of Temporary Assistance for Needy Families and important related programs.

As the Director of the Family Independence Agency, how would you ensure that Temporary Assistance to Needy Families and related programs continue to be funded on the federal level? How would you ensure that federal funding continues in a manner most favorable to Michigan?

 Approximately one year ago, legislation was passed amending the Social Welfare Act, requiring each adult in the Work First program to engage in employment, Work First activities, reducation or training, community service activities, or self-improvement activities as determined by the Family Independence Agency, up to 40 hours a week.

Would you lobby to change the work requirements as defined by law? If so, how?

3. Since 1995, the Department of Career Development and the Family Independence Agency have helped more than 380,000 public assistance clients obtain employment. Under welfare reform, each family independence program recipient, unless exempt by law, is required to participate and meet the requirements of the Michigan Works! Agency employment and training programs.

Would you change the work requirements as outlined in the Family Independence Agency policy manual? If so, what are your proposed modifications to the policy?

4. Under the Engler Administration, the key to moving recipients from public assistance into employment is to identify their barriers. Unfortunately, one of the major barriers to employment is substance abuse. Under Public Act 17 of 1999, the Social Welfare Act was amended to permit the Family Independence Agency to require substance abuse testing as a condition for family independence assistance. The ability of the state to require drug testing of those family independence assistance was successfully litigated, and the FIA has begun the implementation of pilot projects in at least three counties.

Do you support implementing the program on a statewide basis? If not, why not?

 At this time, the federal government is conducting Child and Family Service reviews in Michigan which are designed to support stronger federal-state partnership in improving the outcomes of services to children and families.

What steps would you take to ensure penalties are not levied against Michigan during the Child and Family Service reviews?

6. Over the past decade, the Engler Administration has been active with assisting the federal government to formulate new regulations or policy changes. Both former Directors Marva Hammons and Doug Howard were instrumental in discussions in Washington, D.C.

Would you take an active role in the development of new policy or regulatory changes in Washington, D.C.? If so, what area of expertise could you provide to Congress?

7. The Engler Administration has focused on improving services to families by increasing child support collections, increasing paternity establishment, and reducing out-of-wedlock births. In fact, child support collections have more than doubled in Michigan. An integral element to the success is the statewide implementation of the Child Support Enforcement System.

Would you consider modifying the new version of the Child Support Enforcement System? If so, what modifications would you propose?

8. During the Engler Administration, former Lt. Governor Connie Binsfeld and the Legislature passed legislation focusing on the concept of permanent and safe homes for our children in foster care.

What policy changes would you consider with respect to permanency for children in foster care?

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Under the new administration, would you continue this pilot program? If yes, would the focus continue to be on achieving permanency outcomes? What new components would you consider to strengthen the pilot program?

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1. In light of the fiscal challenges on the state level, federal funding is critical to the survival of many programs in the Family Independence Agency budget. Over the past several months, Congress has discussed the reauthorization of Temporary Assistance for Needy Families and important related programs.

As the Director of the Family Independence Agency, how would you ensure that Temporary Assistance to Needy Families and related programs continue to be funded on the federal level? How would you ensure that federal funding continues in a manner most favorable to Michigan?

Answer:

Michigan's welfare reform success requires that TANF authorization include several key components. I will work with the Governor, the existing coalition of non-profit human service agencies, similarly affected states and our Washington office to ensure the following:

- That flexibility of funding remains.
- That Title IV-E eligibility is tied to TANF eligibility, not the old AFDC eligibility.
- That Maintenance of Effort (MOE) dollars (currently \$468 million) used to draw down the \$775 million in TANF has the same flexibility for usage as the TANF
- Avoid Carve Outs.
- Increase the amount of the block grant.
- Clarify work rate goals. Avoid a new definition of participation, which would reduce funding.
- Maintain current federal reporting requirements.
- Support a super waiver authority.
- 2. Approximately one year ago, legislation was passed amending the Social Welfare Act, requiring each adult in the Work First program to engage in employment, Work First activities, education or training, community service activities, or self-improvement activities as determined by the Family Independence Agency, up to 40 hours a week.

Would you lobby to change the work requirements as defined by law? If so, how?

Answer:

No, I do not anticipate changing the work requirements of 40 hours, especially in light of a renewed request by President Bush that Congress should take as its model a bill the House approved last year that would have required more people to work more hours - 40 hours a week, 10 more than current law, to receive government

benefits. Of the 40 hours, 16 could be used for job training, education or drug rehabilitation.

In line with this proposed change, I would recommend flexibility of the 40 hours and the ability of workers through education and training to get jobs that ultimately will better support them and make them truly independent.

Governor Granholm has voiced the need for more high skill training centers, such as focus: Hope, to help steer those most in need toward the path to independence. She hopes to pool public and private resources to make this happen. In addition, the Governor will establish regional skills alliances in conjunction with the technology tri-corridor which may also be helpful in fulfilling the requirements of work first.

The Governor and I both believe that employment is a key component to selfsufficiency and support that priority. Every effective employment and training program must have adequate support services to be successful and I would want to ensure that those are in place. Additionally, options used other than employment to meet the 40 hour work requirement must be used in a manner that supports success for the participant, but also uses the funds in a way that produces results for the taxpayer.

I look forward to working with legislators, department directors and advocates to achieve the goals of welfare reform.

3. Since 1995, the Department of Career Development and the Family Independence Agency have helped more than 380,000 public assistance clients obtain employment. Under welfare reform, each family independence program recipient, unless exempt by law, is required to participate and meet the requirements of the Michigan Works! Agency employment and training programs.

Would you change the work requirements as outlined in the Family Independence Agency policy manual? If so, what are your proposed modifications to the policy?

Answer:

No, I do not anticipate any changes now. Because welfare reform work requirements involve both FIA and the Department of Career Development I will coordinate any activities with t that department. The federal TANF reauthorization will have a large impact on anything we do relative to work requirements, as we are required to implement those. In addition P.A. 820 of 2001, established a sunset date of 12/31/04 for the following provisions:

- a. exemption of a parent with a child under age 3 months from participation in Work
- b. exemption of an SSI recipient from participation in Work First;
- c. exemption of certain disabled persons, spouses and caretakers, when determined appropriate by FIA, from participation in Work First;
- d. The statutory penalty requirements for non-compliance with child support and employment activity requirements.

The FIA and the Department of Career Development (or its successor) signed an agreement to this legislation, which addressed concerns of implementation. I will work to ensure that this agreement is honored.

4. Under the Engler Administration, the key to moving recipients from public assistance into employment is to identify their barriers. Unfortunately, one of the major barriers to employment is substance abuse. Under Public Act 17 of 1999, the Social Welfare Act was amended to permit the Family Independence Agency to require substance abuse testing as a condition for family independence assistance. The ability of the state to require drug testing of those receiving state assistance was successfully litigated, and the FIA has begun the implementation of pilot projects in at least three counties.

Do you support implementing the program on a statewide basis? If not, why not?

The FIA was in the process of implementing the pilot projects when litigation began Answer: on this issue. If the final ruling of the courts is that it is constitutional for the FIA to require drug testing as a precursor to receiving assistance, I will continue the implementation of the pilot programs.*

Pilot programs are set up to determine whether the results we are seeking to achieve are being met. Substance abuse is a major barrier to self-sufficiency. It is devastating to child well-being and family success. Some drug treatment models are successful and some are not. If the courts give us the opportunity to run the pilots, l will be looking very closely at the results to determine the most effective options available to us. Effective programs can then be implemented statewide as we have the necessary resources.

*On 10/18/02, the Sixth Circuit Court of Appeals ruled that drug testing is not unconstitutional. That decision would have been final in 30 days, however, the plaintiffs filed a timely request for a hearing before the entire Sixth Circuit. This acts as a stay of the decision until the court decides whether to grant such a hearing. The court asked FIA to file an answer to the motion. FIA filed the answer to the motion in late November, 2002. The state is waiting for the court to respond to the motion.

5. At this time, the federal government is conducting Child and Family Service reviews in Michigan which are designed to support stronger federal-state partnership in improving the outcomes of services to children and families.

What steps would you take to ensure penalties are not levied against Michigan during the Child and Family Service reviews?

The federal report was issued on 12/19/02 outlining the accomplishments of the Answer: Department and the areas where we need to improve. We now have 90 days to submit a performance improvement plan to the federal government. Many of the concerns expressed in the review involve multiple departments. Consequently, as the lead agency, the first step is to include all the important players into the process, so we can properly respond.

Steps taken thus far to ensure the timely submission of the performance improvement plan within the 90 days, and also to successfully implement the plan within two years are as follows:

- a. Packets, including a chart outlining the findings by the federal government and an executive summary were delivered on Monday, January 14, 2003 to House and Senate leadership. I then called the senators and representatives, explaining the essence of the report and the steps that will be taken. We also asked for the opportunity to present the report to the FIA Subcommittees, either jointly or in regular meetings.
 - b. A media roundtable was held on January 14, 2003 explaining the results of the report and next steps. Present with me were representatives of the Department of Education, Department of Community Health and the Department of Consumer and Industry Services, outlining their commitment to the implementation of the plan as partners.
 - c. In formulating the performance improvement plan, we will immediately be getting feedback from the focus groups that were used in the self-assessment conducted by the department, as a requirement of the federal review. We also will seek input and continued cooperation with the above-named departments and the legislature in development of the implementation plan.

6. Over the past decade, the Engler Administration has been active with assisting the federal government to formulate new regulations or policy changes. Both former Directors Marva Hammons and Dough Howard were instrumental in discussions in Washington, D.C.

Would you take an active role in the development of new policy or regulatory changes in Washington, D.C.? If so, what are of expertise could you provide to Congress?

Answer:

Yes, I will take an active role in the development of new policy or regulatory changes in Washington, D.C. The areas of expertise I could provide are child welfare, delivery of services, juvenile justice, and the court intervention.

As former Director/Legal Counsel for Lt. Governor Connie Binsfeld's Commission on Children, we were asked by the Ways and Means Committee in Congress to testify on necessary changes to improve the well being of children and families. Our office attended the hearings and presented information to the committee on the findings of the commission. As a result, many of the changes implemented in the Adoption Safe Families Act, mirrored the findings and recommendations that were already being made by the commission. These recommendations included legislative changes, as well as program implementation and policy changes. The Binsfeld legislation was cited as one of the accomplishments in the Child Family Service Review.

This past week I have met with legislators and a representative of the Health and Human Services regional office regarding federal issues, especially TANF reauthorization. Additionally, staff and I will be preparing a document outlining recommendations regarding changes/revisions/continuations that will need to take place in order to successfully implement the federal mandates. This list will include issues regarding TANF and other acts that conflict with its mandate, which need to be resolved in order to succeed.

I hope key legislators will join me in collaborating with the Governor's federal legislative liaison and the Michigan delegation in February, outlining our recommendations in order to effectuate changes most beneficial to Michigan citizens.

7. The Engler Administration has focused on improving services to families by increasing child support collections, increasing paternity establishment, and reducing out-of-wedlock births. In fact, child support collections have more than doubled in Michigan. In integral element to the success is the statewide implementation of the Child Support Enforcement System.

Would you consider modifying the new version of the Child Support Enforcement System? If so, what modifications would you propose?

Answer:

During the last two weeks, I have pursued several discussions with the all of the partners working on the MiCSES system. I am hopeful and encouraged that we are on track to have federally certifiable child support enforcement in place by September 30, 2003. Now under the unprecedented leadership and commitment of Chief Justice Maura Corrigan, and the combined efforts of the FOC, local courts and the Prosecuting Attorneys' Association, I believe that we are on the right track. I am committed to this coordinated effort and will implement modifications as circumstances and resources warrant.

8. During the Engler Administration, former Lt. Governor Connie Binsfeld and the Legislature passed legislation focusing on the concept of permanent and safe homes for our children in foster care.

What policy changes would you consider with respect to permanency for children in foster care?

More than 10,000 children are living in foster care in Michigan. Caring for them is a challenge as we try to balance the needs of the child with the need to preserve families.

From numerous discussions with court personnel, relatives, foster parents, lawyers, the courts, workers and the children, I am persuaded that the issue is not at this time policy changes so much as the need to implement existing laws and policies. I am confident that the legislature, with the Binsfeld legislation, gave us the tools we need. In my last position as Director of the Chance at Childhood Program at Michigan State University, I was in a position to study whether policies and laws enacted were in fact being implemented and made recommendations where they were not.

This was particularly demonstrated in a case in Representative Lauren Hager's district, where a child died. I was asked to review the case by the Representative, was consulted as an expert and testified before the committee on three occasions regarding the case. What was clear, in this as in other cases, is the need for implementation of the existing laws and policies by all the systems. I will work with staff and the courts on this issue, and will make the changes needed to ensure they are being followed.

Our performance improvement plan for the CSFR will assist in this area. We also will work closely with the Children's Ombudsman's Office, other advocacy groups and the legislature to assure that implementation issues are addressed.

Where there are gaps affecting the permanency of children's placement, I will identify them, review, and work to implement any necessary policy changes. Toward that effort, I have asked for a review of the 300 children who were recently listed as missing. After a timely and thorough review of the history of these cases and focus groups with the foster children, we will make the necessary changes to implement safety and permanency for the children.

Finally, Governor Granholm will be asking the auditor general to conduct performance reviews of both CPS and Foster Care annually or bi-annually, instead of every six years.

9. At this time, the Family Independence Agency has initiated a Foster Care Permanency Pilot, which is a concept to base a portion of the payment to private agencies for purchased children's services on performance rather than volume.

Under the new administration, would you continue this pilot program? If yes, would the focus continue to be on achieving permanency outcomes? What new components would you consider to strengthen the pilot program?

I have not had the opportunity to closely evaluate this pilot. This will be done as part of the discussions around the federal Child and Family Services review. As with all programs and contracts, we must see if what is being asked is being delivered. Permanency for children does not only mean timeliness, but also appropriateness of the placement for the child and family and the overall effect the placement has on the well-being of the child. I want assurance that the pilot program is addressing quality outcomes, including those raised by the CFSR report, and if not, we will implement changes to strengthen the pilot program.